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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/835,979 | 04/16/2001 | Michael McGarry | 04906.P076 |

008791

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

RECEIVED
JUN 15 2001

CONFIRMATION NO. 7544

FORMALITIES LETTER



ENTERED
JUN 15 2001
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
LOS ANGELES

JUN 18 2001

Date Mailed: 06/12/2001

STATUS DB-LA
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s)
sheet must include a top margin of at least 2.5 cm.
least 2.5 cm. (1 inch), a right side margin of
bottom margin of at least 1.0 cm. (3/8")

*A copy of this notice **MUST** be retu*

Sady

08/15/2001 SHINASS1 00000005 09835979

01 FC:105

130.00 DP



✓ Sector #3

EIS

Please type a plus sign (+) inside this box → +

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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| | | |
|--|------------------------|-------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/835,979 |
| | Filing Date | April 16, 2001 |
| | First Named Inventor | Michael McClary, et al. |
| | Group Art Unit | 2185 |
| | Examiner Name | Not yet assigned |
| Total Number of Pages in This Submission | Attorney Docket Number | 4906.P076 |

| ENCLOSURES (check all that apply) | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input checked="" type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Declaration and Power of Attorney for Patent Application (5 pages) |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | 23 sheets of formal drawings |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | check postcard |
| <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|-----------------------------------|
| Firm or Individual name | Matthew C. Fagan, Reg. No. 37,542 |
| Signature | |
| Date | 8-8-2001 |

| CERTIFICATE OF MAILING | | |
|---|-----------------|-------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 8-8-01 | | |
| Typed or printed name | Shenise Ramdeen | |
| Signature | | Date 8-8-01 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

100-669260



PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00

Complete if Known

| | |
|----------------------|-------------------------|
| Application Number | 09/835,979 |
| Filing Date | April 16, 2001 |
| First Named Inventor | Michael McClary, et al. |
| Examiner Name | Not yet assigned |
| Group Art Unit | 2185 |
| Attorney Docket No. | 4906.P076 |

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 02-2666
Deposit Account Name: Blakely Sokoloff Taylor & Zafman LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

| | Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------|---------------|---------------|------------------------|----------|
| Fee Code (\$) | Fee Code (\$) | Fee Code (\$) | | |
| 101 710 | 201 355 | | Utility filing fee | |
| 106 320 | 206 160 | | Design filing fee | |
| 107 490 | 207 245 | | Plant filing fee | |
| 108 710 | 208 355 | | Reissue filing fee | |
| 114 150 | 214 75 | | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Extra Claims Fee from below Fee Paid
Total Claims 20** = 20 X 20 = 400
Independent Claims 3** = 3 X 3 = 9
Multiple Dependent 1 = 1 X 1 = 1

| | Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------|---------------|---------------|--|----------|
| Fee Code (\$) | Fee Code (\$) | Fee Code (\$) | | |
| 103 18 | 203 9 | | Claims in excess of 20 | |
| 102 80 | 202 40 | | Independent claims in excess of 3 | |
| 104 270 | 204 135 | | Multiple dependent claim, if not paid | |
| 109 80 | 209 40 | | ** Reissue independent claims over original patent | |
| 110 18 | 210 9 | | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| | Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------|---------------|---------------|--|----------|
| Fee Code (\$) | Fee Code (\$) | Fee Code (\$) | | |
| 105 130 | 205 65 | | Surcharge - late filing fee or oath | 130 |
| 127 50 | 227 25 | | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | | Non-English specification | |
| 147 2,520 | 147 2,520 | | For filing a request for <i>ex parte</i> reexamination | |
| 112 920* | 112 920* | | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | | Extension for reply within first month | |
| 116 390 | 216 195 | | Extension for reply within second month | |
| 117 890 | 217 445 | | Extension for reply within third month | |
| 118 1,390 | 218 695 | | Extension for reply within fourth month | |
| 128 1,890 | 228 945 | | Extension for reply within fifth month | |
| 119 310 | 219 155 | | Notice of Appeal | |
| 120 310 | 220 155 | | Filing a brief in support of an appeal | |
| 121 270 | 221 135 | | Request for oral hearing | |
| 138 1,510 | 138 1,510 | | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | | Petition to revive - unavoidable | |
| 141 1,240 | 241 620 | | Petition to revive - unintentional | |
| 142 1,240 | 242 620 | | Utility issue fee (or reissue) | |
| 143 440 | 243 220 | | Design issue fee | |
| 144 600 | 244 300 | | Plant issue fee | |
| 122 130 | 122 130 | | Petitions to the Commissioner | |
| 123 130 | 123 130 | | Petitions related to provisional applications | |
| 126 180 | 126 180 | | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | | Recording each patent assignment per property (times number of properties) | |
| 146 710 | 246 355 | | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 710 | 249 355 | | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 710 | 279 355 | | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

SUBMITTED BY

| | | | | | |
|-------------------|------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Matthew C. Fagan | Registration No. (Attorney/Agent) | 37,542 | Telephone | 512-330-0844 |
| Signature | | | | Date | 8-8-2001 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.